

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

ROLAND PUGH,

Plaintiff,

CASE NO. 16-02075

HON. DENISE PAGE HOOD

v.

JERRY NORMAN p/k/a NORM
DANIEL, *et al.*,

Defendants.

**OPINION AND ORDER ADOPTING REPORT AND
RECOMMENDATION [#27] TO GRANT DEFENDANTS' MOTION TO
DISMISS [#18] AND TERMINATING AS MOOT PLAINTIFF'S MOTION
TO EXPEDITE THE CASE [#25]**

This matter is before the Court on a Report and Recommendation (Doc # 27) filed by Magistrate Judge Joe Brown on Defendants' Norm Daniel, Paramountsong.com, and Star Tune Records ("Defendants") Motion to Dismiss (Doc # 18). Plaintiff Roland Pugh ("Pugh"), *pro se*, filed an Objection to the Report and Recommendation on March 8, 2017, but failed to object to a specific finding or recommendation by the Magistrate Judge. (Doc # 30) The Court ACCEPTS and ADOPTS the Report and Recommendation and GRANTS Defendants' Motion to Dismiss. Pugh's Motion to Expedite the case (Doc # 25) is TERMINATED AS MOOT.

The background facts of this matter are adequately set forth in the Magistrate Judge's Report and Recommendation, and the Court adopts them here.

The standard of review by the district court when examining a Report and Recommendation is set forth in 28 U.S.C. § 636. This Court “shall make a *de novo* determination of those portions of the report or the specified proposed findings or recommendations to which an objection is made.” 28 U.S.C. § 636(b)(1)(C). The court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” *Id.* In order to preserve the right to appeal the magistrate judge's recommendation, a party must file objections to the Report and Recommendation within fourteen (14) days of service of the Report and Recommendation. Fed. R. Civ. P. 72(b)(2). Failure to file specific objections constitutes a waiver of any further right of appeal. *Thomas v. Arn*, 474 U.S. 140, 155 (1985); *Howard v. Sec'y of Health & Human Servs.*, 932 F.2d 505, 508-09 (6th Cir. 1991); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).

After review of the Magistrate Judge's Report and Recommendation, the Court finds that his findings and conclusions are correct. The Court agrees with the Magistrate Judge that Pugh's claims of copyright infringement, breach of contract, and piracy be dismissed under Fed. R. Civ. P. 12(b)(6) and 28 U.S.C. § 1915(e)(2)(B)(ii). The Court further agrees with the Magistrate Judge that Pugh's Motion to Expedite the case be terminated as moot.

Accordingly,

IT IS ORDERED that Magistrate Judge Joe Brown's Report and Recommendation (Doc # 27) is **ACCEPTED** and **ADOPTED** as this Court's findings of fact and conclusions of law.

IT IS FURTHER ORDERED that Defendants' Norm Daniel, Paramountsong.com, and Star Tune Records Motion to Dismiss the Complaint (Doc # 18) is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiff Roland Pugh's Motion to Expedite the Case (Doc # 25) is **TERMINATED AS MOOT**.

IT IS FURTHER ORDERED that this action is **DISMISSED WITH PREJUDICE**.

DATED: February 6, 2018

s/Denise Page Hood
DENISE PAGE HOOD
U.S. District Judge
Sitting by Special Designation